FREDERICK MERTENS, et al., trading as F. Mertens' Soms, Plaintiffs

vs.

EQ'UITY NO. 34290.

WHITE CROSS MILK COMPANY, et al, Defendants.

REPORT AND PETITION OF WILLIAM L. BROWNING, RECEIVER OF THE WHITE CROSS MILK COMPANY, INCORPORATED, AND THE CONTINENTAL TRUST COMPANY, SUBSTITUTED TRUSTEE.

To the Honorable Justices Holding Equity Division of the Suprme Court of the District of Columbia. The report and petition of William L. Browning, Receiver, and the Contenental Trust Company, Substituted Trustee, respectfully represents un to the Court as follows:

- 1. That the petitioner William L. Browning was by order of this Court passed herein on the 27th day of April, 1916, duly appointed Receiver of all the property and assets within the District of Columbia of the defendant the White Cross Wilk Company, and was authorized to take possession of said property and assets and to continue the business of the defendant Company.
- 2. That pursuant to an order of the Circuit Court of Frederick County, Maryland, pass ed on the 27th day of April, 1916, in a cause pending in said Court between Frederick Mertens and others, trading as F. Mertens' Sons, plaintiff, against the White Cross Milk Company, a corporation and others, defendants, your petitioner, William L. Browning, and Charles McC. Mathias, were duly appointed ancillary Receivers in said cause of all the property and assets of the defendant Company within the State of Maryland and were authorized and directed to continue the operation of defendant Company's business wih him the State of Maryland, in accordance with the order of this court appointing said petitioner original Receiver.
- That your petitioner, the Contenental Trust Company of the District of Columbia, Substituted Trustee, intervened in this case as the party plaintiff on or about the day of \_\_\_\_\_,1916, that as appears from said intervening petition, which is hereby referred to for a more full and complete statement of the facts hereinafter set out, the said Continental Trust Company become Substituted Trustee under a deed of trust or mostgage from the White Cross Milk Company, Incorporated, dated on or about ,1916, conveying the following described premises and pro day of the perty, most of which is situated in the County of Frederick, State of Maryland! "All that piece, pascel or lot of land situate, lying and being in Frederick, State of Maryland, on which the Milk Plant and business of the Company, are now pocated and ereoted, being the tract of land heretofore conveyed unto the White Cross Milk Company, In corporated, by the Interstate Investment Company, Incorporated, a corporation organized under the laws of the State of Virginia, by deed dated August Sixteenth, Nineteen Hundred and Thirteen, and recorded in Liber H.W.B. Number 306, at Folio 160. et seq., one of h the Land Records of Frederick County, Maryland, and more particularly described as folllows! Beginning for the same at the Northeast corner of Wisner Street in said Frederiok, Maryland, at the right of way of the Baltimore & Ohio Railroad Company, and running thence with said right of right of way south sixty and one-fourth (60 1/4) degrees, east one hundred and seventy-two and one-half (172 1/2) feet, thence morth twenty-mine and three-fourths (29 3/4) degrees, east two hundred (200) feet, thence morth sixty and pae-fourth (60 1/4) degrees, west two hundred and sixty-two andone-half (262 1/2) feet to the east margin of the said Wisner Street, thence with said east margin of said Wisner Street south four and one-half (4 1/2) degrees, west two hundred and sevepteem (217) feet to the place of beginning, together with all the privilages and advaatages, rights and way, easments and appurtenances thereunto belonging or in any wise